

**MORTGAGE BROKER
MANAGER'S QUESTIONNAIRE**

Licensee:

Examination Date:

Address:

Examiner:

Phone:

Qualified Employee:

Pursuant to NRS 645B, please provide the examiner with the following books and records to evidence compliance with applicable state and federal laws and regulations.

Provided

Description

- _____ Completed Manager's Questionnaire
- _____ Check registers, deposit records, bank statements, reconcilements, and related records for the trust accounts and general operating account for the past six months
- _____ Interim financial statements as of the latest month end, fiscal year end financial statement, and audits of trust accounts (if trust accounts are maintained)
- _____ Payroll information including W-2 and 1099 information for all employees or independent contractors. This can be copies of the actual documents or computer printouts of the information provided to the IRS
- _____ If advance fees are taken, provide the examiner with a copy of your ledger for each loan showing the funds collected and disbursed. Disbursements should be broken down by payee
- _____ Please furnish examiner with a list of corporate officers, including stockholders owning ten percent or more of the outstanding stock
- _____ If this is not a Nevada based company, please furnish examiner with an organizational chart or a memorandum to the examiner indicating the chain of reporting for Nevada staff
- _____ List of all stockholders owning 5% or more of outstanding stock, along with a list of all corporate officers
- _____ Please furnish examiner with a list of all other companies/entities under common ownership
- _____ Copies of all reports of audits, examinations, inspections, reviews, investigations, or other similar matters performed by any third party, including any regulatory or supervisory authorities
- _____ List of all states broker is licensed to conduct mortgage lending activity
- _____ List of all affiliated companies
- _____ List of all loan officers within the past 12 months and status (active or terminated) showing date hired and date terminated. Also, please provide a list of all other employees (loan processors, receptionist, etc.)

**MORTGAGE BROKER
MANAGER'S QUESTIONNAIRE**

- _____ Copy of your written policies and procedures for your loan officers or a written statement of how loan officers are advised of policies and procedures
- _____ Written complaints along with any and all correspondence, notes, responses, and documentation relating to the disposition
- _____ Documentation regarding any litigation the mortgage broker is involved in
- _____ Advertising file with copies of all advertising for the past 12 months
- _____ List of all locations in Nevada conducting mortgage lending activity, including origination, processing, underwriting, funding or other clerical activities
- _____ List of the top 3 wholesale lenders you place loans with including the percentage of loans placed and the name, address and phone number of your representative for each company.

**MORTGAGE BROKER
MANAGER'S QUESTIONNAIRE**

1. Do you broker loans to institutional lenders only or do you accept private investor funds?
Broker to institutional lenders only_____ Accept private investor funds_____
2. Are your annual financial statements prepared by a Nevada licensed CPA? Yes_____No_____
3. When contacted by potential borrowers (before you have found a lender with which to place a prospective loan) do you require the borrower to sign a loan agreement?
Yes_____No_____ If yes, please provide a sample form to the examiner.
4. Do you require the applicant to deposit funds in advance to cover costs for any of the following?
Appraisal? _____ Credit Report?_____ Other (Describe)_____
5. If a loan for which you have received deposit monies is canceled or withdrawn, do you refund all deposit monies that have not been paid to third party service providers? Yes_____No_____
6. If you receive advance funds from an applicant, do you require that the applicant sign an advance fee agreement? Yes_____No_____ If yes, please provide a sample form to the examiner.
7. When you have arranged a loan, what charges (other than the yield spread premium) do you make to the borrower at loan closing?
- | | | | |
|--------------------------|----------|---------|-------------------|
| a. Credit report? | Yes_____ | No_____ | Occasionally_____ |
| b. Appraisal Fee? | Yes_____ | No_____ | Occasionally_____ |
| c. Processing Fee? | Yes_____ | No_____ | Occasionally_____ |
| d. Origination Fee? | Yes_____ | No_____ | Occasionally_____ |
| e. Other (describe)_____ | Yes_____ | No_____ | Occasionally_____ |
8. Do you close loans in your name or in the institutional lender's name?
- Loans are closed in our name:_____ Loans are closed in the lender's name:_____
9. Do you provide to the institutional lender and retain in your files, the following:
- | | | |
|---|----------|---------|
| a. Completed application signed by the prospective borrower? | Yes_____ | No_____ |
| b. Evidence of employment and income verifications? | Yes_____ | No_____ |
| c. Credit Report? | Yes_____ | No_____ |
| d. A preliminary title report? | Yes_____ | No_____ |
| e. An appraisal for the secured property? | Yes_____ | No_____ |
| f. The real estate sales contract (if applicable)? | Yes_____ | No_____ |
| g. Initial and final Good Faith Estimate and Truth in Lending Disclosure? | Yes_____ | No_____ |
| h. Escrow Instructions | Yes_____ | No_____ |
| i. Uniform Settlement Statement (HUD1) | Yes_____ | No_____ |
10. If loans are closed in your name, do you retain in your files the following:
- | | | | |
|--|----------|---------|----------|
| a. A copy of the promissory note? | Yes_____ | No_____ | N/A_____ |
| b. A recorded copy of the Deed of Trust? | Yes_____ | No_____ | N/A_____ |
| c. A copy of the title insurance policy? | Yes_____ | No_____ | N/A_____ |
| d. Evidence of fire/hazard insurance? | Yes_____ | No_____ | N/A_____ |
11. Have you obtained licenses to operate from the other locations? Yes_____No_____N/A_____
12. Do you have warehouse lines of credit? Yes_____No_____
13. If yes, do the creditors require an immediate assignment of the deed of trust? Yes_____No_____
14. If no, from what location is the loan serviced from until sold on the secondary market?

**MORTGAGE BROKER
MANAGER'S QUESTIONNAIRE**

15. Have any wholesale lenders terminated or restricted their relationships?
Yes_____ No_____ If yes, please explain on a separate sheet.
16. Have you had to repurchase or indemnify any loans?
Yes_____ No_____ If yes, please explain on a separate sheet.
17. Has there been any regulatory action by any state or federal agency against the company or its management?
Yes_____ No_____ If yes, please explain on a separate sheet.
18. Please provide a full description of any lawsuits the licensee, or its corporate office is currently involved in.
19. Do you have any loan agents also licensed with a real estate broker? If yes, please provide a list.
20. Do you have any real estate agents or brokers working within your office? Yes_____ No_____
21. Are loans processed:
In house_____ Contracted out_____ If contracted, to whom? _____
22. If processed in house, how are the processors compensated?
23. Do you maintain completed mortgage transaction files for 4 years? Yes_____ No_____
24. Do you maintain completed mortgage files on site for at least 1 year? Yes_____ No_____
25. Do you electronically image files after 2 years? Yes_____ No_____
26. Do you maintain denied or withdrawn applications for 1 year? Yes_____ No_____
27. Do you have written policies and procedures for your mortgage agents? Yes_____ No_____
28. Are mortgage agents that are paid as independent contractors paid as natural persons and 1099's issued in social security number only? (no ein's) Yes_____ No_____
29. Do any of your mortgage agents pay their own processors? Yes_____ No_____
30. What are your normal business hours?
31. How many employees/independent contractors are affiliated with this branch?
32. Do you maintain a website? Yes_____ No_____

If yes, what is the web address: _____

If any of the requested information is not applicable or not available, please prepare a signed statement to that effect on your company letterhead.

I, _____, do hereby certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Signature: _____ Date: _____